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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Miki *et al.*

Serial No.: 09/673,333

Filed: February 28, 2001

Title: SEED-COAT PROMOTERS, GENES AND GENE PRODUCTS

Atty Dkt: 1096.001C

Group Art Unit: 1638

Examiner: Collins, C.

STATEMENT UNDER 37 CFR 1.821(f)

Dear Sir:

Applicants' undersigned representative states that the content of the sequence listing information recorded on the accompanying computer disk is identical to the content of pages 1/5 through 5/5 of the enclosed written sequence listing.

Respectfully submitted,

October 30, 2002

CANDICE J. CLEMENT, ESQ.

Attorney for Applicants

Registration Number 39,946

HESLIN ROTHENBERG FARLEY & MESITI P.C.

5 Columbia Circle

Albany, New York 12203

Telephone: (518) 452-5600

Facsimile: (518) 452-5579

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PRODUCTS

Certificate of Mailing Under 37 CFR §1.8(a)

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: United States Patent and Trademark Office, BOX SEQUENCE, P.O. Box 2327, Arlington, VA 22202 on October 30, 2002.

Candice J. Clement

Candice J. Clement
Attorney for Applicants
Reg. No. 39,946

Date of Signature: October 30, 2002

United States Patent and Trademark Office
BOX SEQUENCE
P.O. Box 2327
Arlington, VA 22202

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR
APPLICATIONS CONTAINING SEQUENCE LISTINGS**

Dear Sir:

This is a reply to the Notice to Comply with Requirements for Patent Applications Containing Sequence Disclosures, which was mailed from the Office on October 1, 2002. As the Notice provided a thirty day period for response, this submission is timely filed.

The Notice requests the Applicant to provide:

- An initial or substitute computer readable form (CRF) copy of the Sequence Listing;
- An initial or substitute paper copy of the Sequence Listing, as well as an amendment

directing its entry into the specification; and

- A statement under 37 CFR 1.821(f) that the content copies are the same and include no new matter.

DISK TO STIC

DATE:



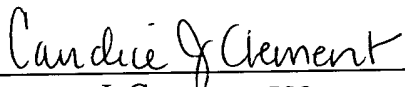
Accordingly, forming part of this submission are:

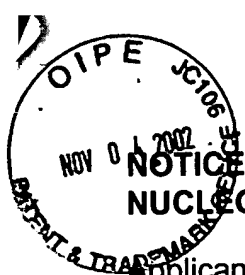
- A copy of the Notice to Comply;
- An initial computer readable form (CRF) copy of the Sequence Listing;
- A substitute paper copy of the Sequence Listing;
- An amendment directing entry of the Sequence Listing into the specification;
- A statement under 37 CFR 1.821(f) that the content of the paper and computer readable copies are the same and include no new matter; and
- A return receipt post card.

Although this submission is provided prior to the expiration of the thirty day fee-free response period, the Commissioner is authorized to charge any deficiency in fees and to credit any overpayment in fees, to Deposit Account 08-1935.

Respectfully submitted,

October 30, 2002


CANDICE J. CLEMENT, ESQ.
Attorney for Applicants
Registration Number 39,946
HESLIN ROTHENBERG FARLEY & MESITI P.C.
5 Columbia Circle
Albany, New York 12203
Telephone: (518) 452-5600
Facsimile: (518) 452-5579



NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: _____

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Applicant Must Provide:

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- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216
For CRF Submission Help, call (703) 308-4212
PatentIn Software Program Support
Technical Assistance.....703-287-0200
To Purchase PatentIn Software.....703-306-2600

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY